

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

TUESDAY, THE 23RD OCTOBER 2007 / 1ST KARTHIKA 1929

WP(C).No. 31431 of 2007()

PETITIONER:

V.SHANMUGHAM, FORESTER,
SOCIAL FORESTRY DIVISION, KOZHIKODE RANGE.

BY ADV. SRI.A.RANJITH NARAYANAN
SRI.S.K.SAJU

RESPONDENTS:

1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
FOREST DEPARTMENT, GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM.
2. THE CHIEF CONSERVATION OF FORESTS,
OFFICE OF THE CHIEF CONSERVATOR OF FORESTS,
THIRUVANANTHAPURAM.
3. THE ASST. CONSERVATOR OF FORESTS,
SOCIAL FORESTRY DIVISION, KOZHIKODE.

BY GOVERNMENT PLEADER SRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23/10/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

V.GIRI,J.

W.P (C) No. 31431 of 2007

Dated this the 23rd October, 2007

J U D G M E N T

Petitioner, who is working as a Forester in the Kerala Forest Department was granted higher grade on completion of 23 years of service, as per Exhibit-P6 order. Subsequently, an audit objection was raised by the Accountant General's Office on the premise that petitioner has not undergone the Forester Training and therefore he is not eligible for cadre promotion. Petitioner has filed a representation before the Chief Conservator of Forests vide Exhibit-P9.

2. In the circumstances, after hearing the learned counsel for the petitioner and learned Government Pleader, this writ petition is disposed of in the following terms:

i) The 2nd respondent shall forward Exhibit-P9 to the 1st respondent , within one month from the date of receipt of a copy of this judgment.

ii) The 1st respondent shall, after hearing the petitioner, take a decision on Exhibit-P9. Petitioner may supplement his contentions before the 1st respondent by an additional representation. There shall be no reduction in the pay drawn by

the petitioner until a decision is taken by the Government.
Re-fixation of the petitioner's pay scale or cancellation of the
higher grade will be subject to the orders to be passed by the
Government.

(V.GIRI, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007